

REMARKS

Reconsideration and removal of the grounds for rejection are respectfully requested. Claims 1-45 were in the application, claims 1-45 have been cancelled and new claims 46-83 have been substituted therefore.

The examiner objected to the specification as being incomprehensible. The entire specification has been reviewed and revised to improve the clarity of the disclosure, and a substitute specification and abstract are being submitted herewith. With reference to the specific comments by the examiner, the opening 8 is best seen in Fig. 1, and the cavity 55 in Fig. 2. It is evident that the lead lines simply were overly extended in Fig. 5, and there is no ambiguity, as this obvious error can be easily corrected. Regarding the "housing for first fixing means 10", please see Fig. 4, which shows the first fixing means 10, composed of the plate means 15 housed in the cavity 55.

The examiner objected to the improper multiple claim dependencies of claims 8, 34 and 40. These claims have been cancelled and the multiple dependant claims removed by this amendment.

Claims 1-45 were rejected as lacking enablement. It is believed the rejection has been rendered moot by the cancellation of claims 1-45, and presentation of new claims 46-83.

Claims 1-7, 9-33, 35-39 and 41-45 were rejected as being anticipated under 35 USC 102(b) by U.S. Patent no. 6,101,773.

The term "anticipation" in patent usage means that the invention was previously known to the public; that is, that it previously existed in the precise form in which it is claimed, including all of the limitations in the claim. *SmithKline Beecham Corp. v. Apotex Corp.*, 439

F.3d 1312, 1324 (Fed. Cir. 2006)

A claim cannot be "anticipated" by prior art that does not have all of the limitations in the claim. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F.3d 1339, 1346 (Fed. Cir. 2000) *SmithKline Beecham Corp. v. Apotex Corp.*, 439 F.3d 1312, 1324 (Fed. Cir. 2006)

A finding of anticipation requires that the publication describe all of the elements of the claims, arranged as in the patented device. *Shearing v. Iolab Corp.*, 975 F.2d 1541, 1544-45, 24 U.S.P.Q.2D (BNA) 1133, 1136 (Fed. Cir. 1992); *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2D (BNA) 1913, 1920 (Fed. Cir. 1989); *Perkin-Elmer Corp. v. Computervision Corp.*, 732 F.2d 888, 894, 221 U.S.P.Q. (BNA) 669, 673 (Fed. Cir. 1984). *C.R. Bard, Inc. v. M3 Sys., Inc.*, 157 F.3d 1340, 1349 (Fed. Cir., 1998)

New claim 46 and the claims depending therefrom are not anticipated by the cited patent. In particular, The cited patent fails to disclose the various fixing means now incorporated into claim 46, which allow fixing of the relative positions of two section channels using a clamping means, and absent the specific fixing means of claim 46, claim 46 and the claims depending therefrom are not anticipated thereby.

Based on the above amendment and remarks, favorable consideration and allowance of the application are respectfully requested. However should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of the application, the examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,

/WJS/

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